

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

EUGENIA WHITE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:07cv696
)	
FAIRFAX COUNTY GOVERNMENT,)	
)	
Defendant.)	

MEMORANDUM OPINION

THIS MATTER came before the Court on pro se plaintiff's Motion for an Extension (# 88).

UPON REVIEW of plaintiff's Motion and defendant's Opposition, the Court makes the following findings.

The final pretrial conference took place before the Hon. James C. Cacheris on June 19, 2008, during which Judge Cacheris granted plaintiff leave to file her witness and exhibits lists and to exchange exhibits with opposing counsel by Friday, June 27, 2008. In addition, Judge Cacheris set this matter for trial on October 7, 2008.

On June 27, plaintiff filed with the Court a document styled as a Proposed Witness List and Request for Extension, wherein she requested an extension of time in which to list and provide exhibits to defendant and to amend her "proposed" witness list. Plaintiff cited defendant's failure to provide "most discovery documents" as the basis for her request.

That same day, the Court heard argument on plaintiff's Motion to Compel certain discovery responses. The Court denied that Motion except as to those interrogatories to which defendant agreed to supplement its responses. The Court ordered defendant to supplement its responses no later than July 3, 2008. In addition, the Court ordered that the parties complete contemplated depositions by early August 2008.

It is true that this pro se plaintiff has sought and received numerous extensions of various deadlines set by this Court. But courts routinely afford procedural latitude to parties representing themselves. See, e.g., Haines v. Kerner, 404 U.S. 519, 520-21 (1972) (directing courts to construe pro se complaints liberally).

In its most recent Order, the Court gave defendant until July 3 to respond to interrogatories and produce documents it ought to have provided plaintiff long ago. Moreover, in part because of defendant's failure to cooperate with plaintiff on the issue, the Court gave the parties until early August to complete depositions. Given this late discovery, and given that trial in this case is set for October 7, 2008, the Court finds good cause and no prejudice in extending the time for plaintiff to file her final witness and exhibit lists and provide copies of trial exhibits to defendant's counsel.

Finally, defendant does not claim it will be prejudiced by

the requested extension of time.

THEREFORE, plaintiff's Motion is hereby GRANTED. Plaintiff shall file her final witness and exhibit lists and provide copies of trial exhibits to defendant's counsel no later than Friday, August 8, 2008. Defendant shall file objections thereto no later than Friday, August 15, 2008.

An appropriate Order shall issue.

ENTERED this 10th day of July, 2008.

/s/
THERESA CARROLL BUCHANAN
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia